

Message Text

CONFIDENTIAL

PAGE 01 SANTO 01024 032034Z
ACTION DLOS-06

INFO OCT-01 ARA-06 IO-13 ISO-00 SSO-00 NSCE-00 USIE-00
INRE-00 ACDA-07 AGRE-00 AID-05 CEA-01 CEQ-01 CG-00
CIAE-00 COME-00 DODE-00 DOTE-00 EB-08 EPA-01 ERDA-05
FMC-01 TRSE-00 H-01 INR-07 INT-05 JUSE-00 L-03
NSAE-00 NSC-05 NSF-01 OES-06 OMB-01 PA-01 PM-04
PRS-01 SP-02 SS-15 SAL-01 FEA-01 /109 W
-----032037Z 009307 /44

O R 032015Z MAR 77
FM AMEMBASSY SANTO DOMINGO
TO SECSTATE WASHDC IMMEDIATE 9863
INFO USMISSION USUN NEW YORK
USMISSION GENEVA

C O N F I D E N T I A L SANTO DOMINGO 1024

E.O. 11652: GDS
TAGS: LOS, DR
SUBJECT: NEW DOMINICAN PROPOSALS TO EXTEND MARITIME JURISDICTION

REF: SANTO DOMINGO 948

1. IN HIS FEB 27 INDEPENDENCE DAY SPEECH, PRESIDENT BALAGUER
ANNOUNCED THAT HE HAD INTRODUCED INTO CONGRESS A BILL TO EXTEND
THE MARITIME JURISDICTION OF THE COUNTRY. WE HAVE NOW RECEIVED
A COPY OF THE PROPOSED NEW LAW, AN INFORMAL TRANSLATION OF WHICH
IS BEING FORWARDED SEPTTEL.

2. THE LEGISLATION WOULD INCREASE THE PRESENT SUPPLEMENTARY
CONTIGUOUS ZONE TO 24 MILES IN WHICH THE DR WOULD EXERCISE LEGAL
JURISDICTION OVER CUSTOMS, IMMIGRATION AND SANITATION MATTERS
ALONG THE LINES OF ARTICLE 32 OF THE RSNT. IT WOULD ALSO ESTABLISH
AN EXCLUSIVE ECONOMIC ZONE OF 200 MILES IN WHICH THE DR WOULD
EXERCISE SOVEREIGN RIGHTS OVER EXPLORATION, EXPLOITATION, CONSER-
VATION AND ADMINISTRATION OF NATURAL RESOURCES. THE TEXT OF THE
BILL CONFERS ON THE DR THE RIGHTS CONTAINED IN ARTICLE 44 OF THE
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 SANTO 01024 032034Z

RSNT, EXCEPT FOR THE SCIENTIFIC RESEARCH MENTIONED IN PARAGRAPH
1.(C)(2). THE DR WOULD REGULATE RESEARCH, EXPLORATION AND
EXPLOITATION OF RESOURCES IN THE 200-MILE ZONE, BUT FREEDOM
OF NAVIGATION AND AIR PASSAGE, LAYING OF SUBMARINE CABLES
AND PIPELINES AND OTHER LEGITIMATE INTERNATIONAL USES RELATED
TO NAVIGATION AND COMMUNICATION WOULD BE PRESERVED. FINALLY,
THE PROPOSED LEGISLATION WOULD ESTABLISH SOVEREIGN RIGHTS OVER

THE CONTINENTAL SHELF TO A MINIMUM DISTANCE OF 200 MILES, SIMILAR TO THAT OF ARTICLES 64 AND 65 OF THE RSNT.

3. THREE PROVISIONS OF THE PROPOSED LAW ARE IN CONFLICT WITH U.S. POSITIONS: (1) THERE ARE NO LIMITATIONS ON DOMINICAN CONTROL OVER OCEAN POLLUTION IN THE EZ; (2) DOMINICAN CONTROL OVER RESEARCH CAN BE INTERPRETED TO INCLUDE ALL TYPES OF SCIENTIFIC RESEARCH; AND (3) THE RIGHTS GIVEN IN THE EZ TO OTHERS ARE INADEQUATE. IN ORDER TO PRECLUDE FREEZING OF THE GODR INTO NON-NEGOTIABLE POSITIONS BY THIS LEGISLATION, WE HAVE ASKED THAT FURTHER LEGISLATIVE CONSIDERATION BE DELAYED UNTIL WE HAVE PRESENTED OUR VIEWS.

4. I HAVE DISCUSSED THIS PROPOSED LEGISLATION WITH D/LOS AND HAVE ASKED FOR AN APPOINTMENT WITH THE FOREIGN MINISTER TO PROPOSE SEVERAL CHANGES WHICH WOULD MEET OUR CONCERNS.
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Message Attributes

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Current Classification: UNCLASSIFIED
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Disposition Approved on Date:
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Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Executive Order: GS
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